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TO AMEMBASSY TUNIS PRIORITY

C O N F I D E N T I A L STATE 146458

E.O. 11652: GDS

TAGS: SHUM, TS

SUBJECT: HUMAN RIGHTS: COUNTRY EVALUATION PLAN

REF: STATE 133681

1. FOLLOWING IS DRAFT OF DEPARTMENT'S HUMAN RIGHTS--
COUNTRY EVALUATION PLAN FOR TUNISIA. EMBASSY IS REQUESTED
TO REVIEW DRAFT AND PROVIDE TO DEPT ANY COMMENTS OR SUG-
GESTIONS:

2. HUMAN RIGHTS--COUNTRY EVALUATION PLAN, TUNISIA

3. A. RESPECT FOR INTEGRITY OF THE PERSON: THE CONDITION
OF HUMAN RIGHTS IN TUNISIA CAN BE CATEGORIZED AS RELATIVELY
"VERY GOOD" WITHIN THE FRAMEWORK OF LESS DEVELOPED NATIONS
HAVING SIMILAR HISTORICAL AND CULTURAL EXPERIENCES. THE
GAMMUT OF INTERNATIONALLY-RECOGNIZED HUMAN RIGHTS, WHICH
IS GUARANTEED UNDER THE CONSTITUTION, IS GENERALLY OBSER-
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VED BY TUNISIAN AUTHORITIES.

4. ALTHOUGH THERE HAVE BEEN PERIODIC CHARGES, USUALLY
FROM GROUPS BASED IN EUROPE WITH A POLITICAL AFFINITY TO
ANTI-GOVERNMENT ELEMENTS, THAT TORTURE IS USED IN INTERNAL
SECURITY OPERATIONS, WE HAVE SEEN NO EVIDENCE THAT TORTURE

OR HUMAN DEGRADATION IS SANCTIONED BY THE GOVERNMENT OR IS NORMAL PRACTICE IN LEGAL INVESTIGATIONS OF POLITICAL OFFENSES. WHILE SOME ALLEGATIONS MAY BE TRUE, MANY ARE MADE BY ANTI-GOT ELEMENTS WHOSE OBJECTIVITY COULD BE SUSPECT. THE GOVERNMENT HAS VEHEMENTLY DENIED SUCH ALLEGATIONS.

5. B. RESPECT FOR CIVIL AND POLITICAL LIBERTIES:

ALTHOUGH CERTAIN LAWS HAVE BEEN WRITTEN TO EMPOWER THE GOVERNMENT TO RESTRICT ACTIVITIES IT DEEMS DANGEROUS TO THE SECURITY OF THE STATE, TUNISIAN CITIZENS CHARGED WITH VIOLATIONS OF THESE LAWS ARE GENERALLY TREATED BEFORE THE LAW AS ANY OTHER OFFENDERS IN CRIMINAL ACTIONS AND ARBITRARY ACTIONS AFFECTING PERSONAL LIBERTY ARE NOT NORMALLY ENCOUNTERED.

6. THE GOVERNMENT'S RECENT DECISIONS (MARCH 16 AND MAY 16, 1977) TO RELEASE AND NOT PROSECUTE STUDENTS ARRESTED IN CONNECTION WITH UNIVERSITY DISORDERS IN FEBRUARY, 1977, ARE VIEWED AS A SIGNIFICANT DEPARTURE FROM PREVIOUS GOT POLICY AND MAY BE LINKED TO THE INTERIOR MINISTER'S RECENT CALL FOR TOLERANCE AND UNDERSTANDING OF YOUTH. SOME HAVE INTERPRETED THIS DEVELOPMENT AS A CONCILIATORY GESTURE.

7. WHEN THE GOVERNMENT HAS INVOKED THE CONSTITUTIONAL
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PROVISION FOR EXCEPTIONS REGARDING FREEDOM OF EXPRESSION AND ASSEMBLY IT HAS MOST OFTEN BEEN FOR POLITICAL/SECURITY REASONS. THE GOVERNMENT'S OBJECT IS TO PREVENT THE ORGANIZATION OF GROUPS WHICH IT BELIEVES MIGHT CHALLENGE AND EVENTUALLY OVERTHROW THE DESTOURIAN SOCIALIST PARTY (PSD), ON WHICH THE POLITICAL SYSTEM OF THE COUNTRY IS BASED. THE RECENT DENIAL OF PERMISSION TO HOLD THE "CONFERENCE ON PUBLIC LIBERTIES," WHICH WAS ORGANIZED BY A GROUP OF TUNISIAN "LIBERALS," EXEMPLIFIES THE TUNISIAN PENCHANT FOR CURTAILING ANY ORGANIZED POLITICAL ACTIVIST GROUP THAT COULD DISRUPT THE PRESENT CONSENSUS PARTY-GOVERNMENT STRUCTURE.

8. GOVERNMENTAL APPROVAL IN APRIL, 1977, OF A "LEAGUE FOR THE RIGHTS OF MAN" FORMED BY A GROUP OF TUNISIAN PROFESSIONALS CLOSELY ASSOCIATED WITH THE "LIBERALS," INDICATES THE GOT'S WILLINGNESS TO RELUCTANTLY GO ALONG WITH THIS EMBRYONIC GROUP EVEN THOUGH ITS ESTABLISHMENT IMPLIES THAT POLITICAL RIGHTS IN TUNISIA ARE NOT FULLY EXERCISED.

9. C. RECENT TRENDS IN GOVERNMENTAL POLICIES TO FULFILL

BASIC NEEDS: A READING OF TUNISIA'S 1976 BUDGET (WHICH IS TYPICAL OF PREVIOUS BUDGETS) INDICATES THE GOVERNMENT'S EMPHASIS AND CONCERN. EDUCATION RECEIVES 22.4 PERCENT OF TOTAL GOVERNMENT EXPENDITURES; DEFENSE 6.97 PERCENT, AND PUBLIC HEALTH 8.7 PERCENT. THE WORLD BANK'S MOST RECENT ECONOMIC REPORT ON TUNISIA (MAY 2, 1977) STATES: "THE GOVERNMENT HAS TAKEN MEASURES TO IMPLEMENT THESE PRIORITIES (MOBILIZING RESOURCES AND IMPROVING THE WELFARE OF THE TUNISIAN PEOPLE) IN AN ATTEMPT TO COMBINE RAPID ECONOMIC GROWTH WITH INCREASINGLY EQUITABLE DISTRIBUTION OF ITS BENEFITS." THIS REPORT FURTHER COMMENTS ON THE NEW FIVE YEAR PLAN, THAT "SUBSTANTIAL ECONOMIC GAINS COULD BE DISTRIBUTED TO THE TUNISIAN PEOPLE THROUGH A NUMBER OF POLICY MEASURES RESULTING FROM THE GOVERNMENT'S CONCERN

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WITH SOCIAL BALANCE."

10. THE TUNISIAN ECONOMIC SUCCESS STORY I.E. INCREASED PROSPERITY MORE EQUITABLY DISTRIBUTED (PER CAPITA GNP HAS DOUBLED IN LAST FIVE YEARS TO PRESENT POINT OF 782 DOLLARS) HAS PROMPTED REDUCTION OF ASSISTANCE TO OUR PRESENT RELATIVELY MODEST LEVEL WITH A PROJECTED PHASE-OUT IN FIVE YEARS.

11. D. GOT'S RESPONSIBILITY AND U.S. ACTIONS: NO ONE WOULD ARGUE THAT INDIVIDUAL LIBERTY, AS KNOWN AND PRACTICED IN WESTERN DEMOCRACIES, IS NOT CURTAILED IN TUNISIA BY THE GOVERNMENT'S INTERPRETATION OF ITS POWER TO SAFEGUARD INTERNAL SECURITY, OR THAT TUNISIAN CITIZENS ENJOY THE FULL RANGE OF POLITICAL AND SOCIAL FREEDOMS EMBODIED IN THE UNITED NATIONS' DECLARATIONS ON HUMAN RIGHTS. HOWEVER, THE LEVEL OF PERSONAL FREEDOM IN TUNISIA PROBABLY IS SUBSTANTIALLY HIGHER THAN IN MOST OTHER THIRD WORLD COUNTRIES.

12. IN SPITE OF THE MAINTENANCE OF A ONE-PARTY STATE AND THE RESTRICTIONS ON POLITICAL OPPOSITION ACTIVISTS, THE GOT IS A GENERALLY BENIGN REGIME THAT IS NEITHER TOTALITARIAN NOR BRUTAL. "POLITICAL ORTHODOXY" IS BROADLY DEFINED AND DISSIDENCE, WHILE CONSTRAINED, IS ALLOWED WITHIN THE CONFINES OF THE OFFICIAL PARTY WHERE ALL MAJOR ELEMENTS OF TUNISIAN SOCIETY ARE REPRESENTED.

13. ANY STRATEGIES FOR PROMOTING AN IMPROVED OBSERVANCE OF HUMAN RIGHTS IN TUNISIA ARE LIMITED. WE DO GIVE TUNISIA ECONOMIC ASSISTANCE IN THE FORM OF VARIOUS AID

LOAN AND TECHNICAL ASSISTANCE PROGRAMS, OPIC, AND PL-480

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PROGRAMS. WE ALSO EXTEND GRANT MILITARY TRAINING AND FMS LOANS AND SALES WHICH RELEASE GOT FUNDS FOR ECONOMIC DEVELOPMENT.

14. GIVEN THE RELATIVELY MODEST LEVEL OF OUR PRESENT ASSISTANCE TO TUNISIA, WE DO NOT BELIEVE THAT THE GOT WOULD SACRIFICE WHAT IT REGARDS AS AN ESSENTIAL VIGILANCE IN INTERNAL SECURITY IN RESPONSE TO A THREATENED SEVERANCE OF ASSISTANCE. THE TUNISIANS WOULD SURELY VIEW IT AS AN UNWARRANTED INTERFERENCE IN THEIR INTERNAL AFFAIRS.

15. WERE WE TO CUT OFF OR REDUCE ANY OR ALL OF OUR ASSISTANCE PROGRAMS, THE ADVANCEMENT OF HUMAN RIGHTS MIGHT NOT ONLY BE ARRESTED, BUT MIGHT REGRESS. FIRST, THE ECONOMICALLY DEPRIVED MAJORITY OF THE PEOPLE WHO ARE LEAST AFFECTED BY "HUMAN RIGHTS VIOLATIONS," WOULD SUFFER MOST. SECOND, ECONOMIC DISTURBANCE WOULD PLAY DIRECTLY INTO THE HANDS OF THOSE RADICAL ELEMENTS WHO WOULD UTILIZE IT AS A MEANS TO THEIR IDEOLOGICAL ENDS WHICH PRECLUDE ANY NOTION OF INDIVIDUAL HUMAN LIBERTY. LASTLY, THE TUNISIAN REGIME, PERCEIVING A THREAT TO ITS EXISTENCE, MIGHT EMPLOY EVEN HARSHER METHODS TO SUPPRESS ITS OPPONENTS, RESULTING IN MORE RATHER THAN FEWER VIOLATIONS OF HUMAN RIGHTS THAN HERETOFORE.

16. TUNISIA IS WORKING HARD TO MAINTAIN A REASONABLY DEMOCRATIC SYSTEM IN THE FACE OF ANTAGONISM FROM NEIGHBORING COUNTRIES (NOTABLY LIBYA), INTERNAL ECONOMIC PRESSURES, AND THE PROSPECT OF A POWER STRUGGLE AMONG RIVAL POLITICAL FIGURES WITHIN THE PSD WHEN PRESIDENT BOURGUIBA DEPARTS FROM THE SCENE. OUR ACTIVE STRATEGY SHOULD CONTINUE TO RELY ON OUR INFLUENCE AND ECONOMIC ASSISTANCE TO ENCOURAGE THE DEVELOPMENT OF AN ECONOMIC AND SOCIAL MILIEU IN WHICH FULL EXERCISE OF POLITICAL RIGHTS FOR ALL WILL BE POSSIBLE. WE SHOULD CONTINUE OUR LOW-KEYED DIALOGUE IN THIS AREA COUPLED WITH ECONOMIC

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ASSISTANCE AS THE OPTIMUM STRATEGY TO ACHIEVE OUR LONG-RANGE HUMAN RIGHTS OBJECTIVES.

CHRISTOPHER

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